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# AMERICAN JOURNAL OF ARCHÆOLOGY.

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Vol. V.

JUNE, 1889.

No. 2.

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PAPERS OF THE AMERICAN SCHOOL OF CLASSICAL  
STUDIES AT ATHENS.

THE DECREES OF THE DEMOTIONIDAI.  
A STUDY OF THE ATTIC PHRATRY.

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In the Athenian State as constituted by Kleisthenes, every citizen belonged to three subordinate political corporations; he was member at once of a tribe, a deme, and a phratry. Of these three, the last was the least conspicuous. The phratry did not rival the deme in the frequency of its meetings and the importance of its affairs; nor did it enter, like the tribe, into the political and military organization of the State. But it had in its keeping an important trust, that of preventing the intrusion of illegitimate members into the body politic. This trust it shared in a measure, it is true, with the deme; but inasmuch as both male and female children were received into the phratry, and that, as a rule, in their earliest years, while the deme enrolled in its register only males, receiving them at the age of seventeen, we can hardly go wrong in regarding the phratry as the chief guardian of the purity of Athenian citizenship. An acquaintance with it is thus essential to an understanding of Athenian political life.

Our principal literary sources of information on the subject are as follows:<sup>1</sup> (1) Aristotle, in the *Ἀθηναίων Πολιτεία*, gave an account of the organization which he conceived to have existed at Athens before the profound reforms of Kleisthenes. The passage is preserved

<sup>1</sup>See especially PLATNER, *Beiträge zur Kenntniss des attischen Rechts*; MEIER, *De gentilitate attica*; BUSOLT, *Griechische Staats- und Rechtsaltertümer*, § 159, in Iwan Müller's *Handbuch der klassischen Altertumswissenschaft*, Bd. IV<sup>1</sup>. I have not been able to see SAUPPE, *De phratris atticis* (Göttingen, 1886/7).

in a more or less garbled form by Harpokration, Pollux, and other lexicographers, and is given verbatim in the Patmian Scholia published in the *Bulletin de Correspondance Hellénique* (vol. I, p. 152). According to this, each of the four original tribes consisted of three phratries, each phratry of thirty gentes, and each gens of thirty men. This account is so artificial in its numerical symmetry, and so fanciful in the reasons assigned for it, as to excite the gravest doubts of Aristotle's competence as a witness for the period in question. Where, indeed, could he have obtained full and trustworthy information? As to whether the phratries were affected by the reforms of Kleisthenes, Aristotle has left us two unfortunately ambiguous notices. One is in the *Politics* (VI. 4: Bekk.) and seems to say that the phratries, as well as the tribes, were then remodelled and increased in number. The other is in the recently discovered fragments of the *Ἀθηναίων Πολιτεία* (II, a *Landwehr*) and seems to say just the contrary.<sup>2</sup> (2) Several writers of the fifth and fourth centuries B. C. refer to the phratries of their own day. The most instructive of these references are in Isaios and the private orations of Demosthenes (genuine and spurious). These are the chief basis of our knowledge. (3) Scraps of relevant information, and of misinformation as well, are preserved by scholiasts and by the lexicographers, Harpokration, Pollux, Hesychios, Suidas, etc.

Inscriptions have until lately yielded little to supplement this scanty literary evidence. That little may be classified thus: (1) the decrees of the Ekklesia conferring citizenship on a foreigner, regularly authorize him to be enrolled as a member of such tribe, deme and phratry as he may choose (*εἶναι φυλῆς καὶ δήμου καὶ φρατρίας ἧς ἂν βούληται*, or some similar formula. This is the regular order of mention. Only in *CIA*, II, 115<sup>b</sup> do we find *δήμου καὶ φυλῆς καὶ φρατρίας*<sup>3</sup>). (2) Two temenos boundary-stones give us names of phratries, the only names indisputably known, and one of these in a mutilated form, viz., the *Ἀχινιάδαι*<sup>4</sup> and the *Θερρικ . . . αι*.<sup>5</sup> Two other boundary-stones, one of the *Ζακυνάδαι*<sup>6</sup> and one of the *Ἐλασιδαί*,<sup>7</sup> give names with re-

<sup>2</sup> The difficulty of dealing with these two statements is illustrated by the case of BUSOLT, who in his *Griechische Geschichte* (pp. 394-5, published in 1885) decides that Kleisthenes did not meddle with the phratries, but in his *Griechische Altertümer* (p. 144<sup>an</sup>), published in 1887) reverses this decision.

<sup>3</sup> Cf. BUERMANN, *Jahrb. für Phil.*, Suppl., IX, 643; DITTENBERGER, *Sylloge Inscr. Graec.*, 43, note 7.

<sup>4</sup> DITTENBERGER, *Sylloge*, 302; *CIA*, II, 1653. <sup>5</sup> *CIA*, II, 1652.

<sup>6</sup> DITTENBERGER, *Sylloge*, 303.

<sup>7</sup> *Classical Review*, III, p. 138.

gard to which it is impossible to decide whether they belonged to gentes or phratries. (3) Two short fragments of phratrerial decrees, eulogizing deserving members, are given in *CIA*, II, 598, 599. The Dyaleis of 600, who enact a decree in reference to the lease of a piece of real estate, are probably to be regarded, not, with Köhler, as a phratry, but, with Buermann,<sup>8</sup> Gilbert,<sup>9</sup> and Busolt,<sup>10</sup> as a union of two phratries.

Such was, in outline, the material available for the study of the Attic phratries down to 1883. In that year there was found at Tatoï, the site of the deme of Dekeleia, a stele, on the front of which were preserved 57 lines of a phratrerial decree, dated in the year 396/5 B. C. and dealing with the phratry's most vital duties. This was published by Koumanoudes in the *Ἐφημερίς Ἀρχαιολογική* (1883, 69 ff.) and by Köhler in the *Addenda* to the second volume of the *Attic Corpus* (841<sup>b</sup>). It has been made the subject of special articles by Szanto in the *Rheinisches Museum* (1885, 506–520) and by Gilbert in the *Jahrbücher für Philologie* (1887, 23–28). Szanto's paper is ingenious and suggestive, but is pervaded by a most improbable view of the relation of phratry to gens, and marred besides by some downright and inexcusable blunders. Gilbert corrects Szanto on one important point, the question as to where that portion of the decree which was intended to be of permanent application begins, but hazards a theory of his own which is demonstrably false. For in the summer of 1888 the stone bearing this inscription was cleaned, with the result that the back also was found to be inscribed. Of the new text, published by Pantazides in the *Ἐφημερίς* (newspaper) of Sept. 1/13, 1888, and by Lolling in the *Ἀρχαιολογικὸν Δελτίον* for August, lines 1–55 were engraved at the same time with the portion previously published and form its continuation. These lines, like those on the front, are engraved *στοιχηδόν*, with occasional aberrations. Two or three lines are apparently all that is lost at the end of the part on the face of the stone. Lines 56–68 were added many years afterward. So far as I can judge from an excellent squeeze (I have not seen the stone), this portion would belong to the third cent. B. C. or the first part of the second. The letters are extremely irregular and unevenly spaced, which makes a more exact determination of the date peculiarly difficult. *Δεκελεῖς* for *Δεκελεεῖς* in *B*, 65 is probably only a blunder of the stone-cutter. I give below the text of the whole document, with the restorations of

<sup>8</sup> *Op. cit.*, 645, Note.

<sup>9</sup> *Griech. Staatsaltertümer*, I, 199<sup>(3)</sup>.

<sup>10</sup> *Griech. Staats- und Rechtsaltertümer*, 145<sup>(5)</sup>.

Köhler and Lolling, followed by a translation. The foot-notes do not touch upon orthographical peculiarities, of which there are several.

### TEXT.

#### FACE A.

#### Διὸς Φρατρίο

- ἱερεὺς Θεόδωρος Εὐφαντίδο<sup>11</sup> ἀν|έγραψε καὶ ἔστησε τὴν στήλην. |  
 5 ἱερεώσυνα τῷ ἱερεῖ διδόναι τ|άδε· ἀπὸ τῷ μείο<sup>12</sup> κωλῆν, πλευ-  
 ρόν, θ|ς,<sup>13</sup> ἀργυρίο||· ἀπὸ τῷ κορείο κωλῆ|ν, πλευρόν, δς, ἐλατῆρα  
 χοινικια|ίου, οἶνο ἡμίχον, ἀργυρίο |·. |  
 10 τάδε ἔδοξεν τοῖς φράτερσι ἐπὶ| Φορμίωνος ἀρχοντος Ἀθηναί-  
 οι|ς, φρατρίαρχόντος δὲ Παντακλέ|ος ἐξ Οἴο· |  
 Ἱεροκλῆς εἶπε· ὅπόσοι μήπω διεδικάσ|θησαν κατὰ τὸν νόμον  
 15 τὸν Δημοτιωνιδ|ῶν, διαδικάσαι περὶ αὐτῶν τὸς φράτερ|ας αὐτίκα  
 μάλα, ὑποσχομένος πρὸς τῷ Δ|ιὸς τῷ Φρατρίο, φέροντας τὴν  
 ψῆφον ἀπ|ὸ τῷ βωμῷ·<sup>14</sup> δς δ' ἂν δόξῃ μὴ ὦν φράτηρ ἔσα|χθῆναι,  
 20 ἐξαλειψάτω τὸ ὄνομα αὐτοῦ ὁ ἱερ|εὺς καὶ ὁ φρατρίαρχος ἐκ τῷ  
 γραμματεῖ|ο τῷ ἐν Δημοτιωνιδῶν<sup>15</sup> καὶ τῷ ἀντιγράφ|ο·<sup>16</sup> ὁ δὲ  
 ἐσαγαγὼν τὸν ἀποδικασθέντα ὀφε|ιλέτω ἑκατὸν δραχμὰς ἱερὰς

<sup>11</sup> The words Θεόδωρος Εὐφαντίδο are engraved *in rasura*. The letters, if regularly distributed, would have just filled the space. Instead of this, the letters of Θεόδωρος are crowded, with the result of leaving a blank space sufficient for two letters after Εὐφαντίδο. I conjecture that, after the name had been once engraved, the priest desired to add his *demotikon*, and that this was attempted and found impracticable.

<sup>12</sup> That the μείον was the offering for a young child and the κοῦρειον that for an [adopted] lad [or man], as AUGUST MOMMSEN conjectured (*Heortologie*, 308) and as LIPSIVS, even after the publication of the first part of this text, was disposed to believe (*Meier und Schoemann's Attische Process*,<sup>(2)</sup> 3<sup>tes</sup> Buch, Note 165), is now definitively disproved. See B, 57–60. I can suggest nothing better than the explanation of KÖHLER, which has been generally adopted, that the μείον was the offering for a daughter, and the κοῦρειον that for a son.

<sup>13</sup> This is the reading of Koumanoudes. Köhler's κωλῆν πλευρόνος is to me unintelligible. [Compare the sacrificial calendar from Kos, *Journ. Hellen. Studies*, 1888, p. 335: θύει ἱερε[ὺς καὶ ἱερά] παρέχει· (γ)έρη δὲ οὐατα.—A. C. M.]

<sup>14</sup> A solemn mode of voting, perhaps the usual one in the phratries; cf. HEROD., viii. 123; PLUT., *Themist.* 17; PLUT., *Per.* 32; DEM., xliii. 14 (ed. Bekker).

<sup>15</sup> This construction occurs elsewhere only with deme-names of gentile form, and indicates that the Demotionidai were a local body. See MEISTERHANS, *Gram. d. att. Inschriften* (2) § 83, 19<sup>(b)</sup>.

<sup>16</sup> The copy, it is implied, was not kept in Demotionidai; perhaps in Athens. I conjecture that the copy was intended as a protection against tampering with the record and against the confusion which would result if the register should be injured or lost. That such a safeguard was desirable may be seen from DEM., xlii. 41; LVII. 26, 60.

- 25 τῶι Διὶ τῶι Φρατρίῳ· ἐσπράττεν δὲ τὸ ἀργύριον τοῦτο τὸν  
 ἱερέα καὶ τὸν φρατρίαρχον ἢ αὐτὸς ὀφείλεν. τὴν δὲ διαδικασίαν|  
 τὸ λοιπὸν εἶναι τῶι ὑστέρωι ἔτει ἢ ὡι ἂν τὸ κόρεον θύσῃ, τῇ  
 30 Κορεώτιδι Ἀπατ|ορίων· φέρειν δὲ τὴν ψῆφον ἀπὸ τοῦ βωμῶ. ἐ|ἂν  
 δέ τις βόληται ἐφείναι ἐς Δημοσιωνίδας, ὧν ἂν ἀποψηφίσωνται,  
 ἐξεῖναι αὐ|τῶι· ἐλέσθαι δὲ ἐπ' αὐτοῖς συνηγός τις Δεκελειῶν  
 35 οἶκον πέντε ἄνδρας ὑπὲρ τριάκοντα ἔτη γεγονότας, τούτος δὲ |  
 ἐξορκωσάτω ὁ φρατρίαρχος καὶ ὁ ἱερεὺς συνηγορήσεν τὰ δικαιο-  
 τата καὶ ὁκ|εἶσεν ὁδὲνα μὴ ὄντα φράτερα φρατρί|εν· ὅτο δ' ἂν  
 τῶν ἐφέντων ἀποψηφίσωντα|ι Δημοσιωνίδαι, ὀφειλέτω χιλίας  
 40 δρα|χμὰς ἱερὰς τῶι Διὶ τῶι Φρατρίῳ· ἐσπρ|αττέτω δὲ τὸ ἀργύ-  
 ριον τοῦτο ὁ ἱερεὺς |τὸ Δεκελειῶν οἶκο ἢ αὐτὸς ὀφειλέτω. ἐ|ξεῖναι  
 δὲ καὶ ἄλλωι τῶι βολομένωι τῶ|ν φρατέρων ἐσπράττεν τῶι κοι-  
 45 νῶι·<sup>17</sup> ταῦ|[τα] δ' εἶναι ἀπὸ Φορμίωνος ἄρχοντος.<sup>18</sup> ἐπι|[ψ]ηφίζειν  
 δὲ τὸν φρατρίαρχον περὶ ὧν ἂν διαδικάζειν δέηι κατὰ τὸν ἐνιαυτὸν |  
 ἕκαστον·<sup>19</sup> εἰάν δὲ μὴ ἐπιψηφίσῃ, ὀφειλέτω πεντακοσίας δραχμὰς  
 50 ἱερὰς τῶι Διὶ |[τ]ῶι Φρατρίῳ[ι· ἐ]σπράττεν δὲ τὸν ἱερέα |[κ]αὶ  
 ἄλλο[ν τὸν βο]λόμενον τὸ ἀργύριον |[το]ῦτ[ο τῶι κοινῶι]. τὸ  
 δὲ λοιπὸν ἄγειν τὰ |[μεῖα καὶ τὰ κόρει]α ἐς Δεκέλειαν ἐπὶ τ|[ὸν  
 55 βωμόν· εἰάν δὲ μὴ θ]ύσῃ ἐπὶ τῷ βωμῷ, ὀφ|[ελέτω πεντήκοντ]α  
 δραχμὰς ἱερὰς τῶ|[ι Διὶ τῶι Φρατρίῳ· ἐσ]πραττέτω δὲ ὁ ἱερ|[εὺς  
 τὸ ἀργύριον τοῦτο ἢ] αὐτὸς ὀφει|λέτω. — — —  
 — — — — — — — — —

## FACE B.

εἰάν δέ τι τούτων διακωλύῃ, ὅποι ἂν ὁ ἱερεὺς προγράφηι, ἐνθαῦ-  
 θα ἄγειν τὰ μεῖ|α καὶ τὰ κόρεια· προγράφειν δὲ πρόπεμπ|τα τῆς

5 Δορπίας ἐν πινακίῳ λελευκωμ|ένωι μῆλαττον<sup>20</sup> ἢ σπιθαμαίῳ

<sup>17</sup> The common fund; cf. THEOPH., Char. xxx. 5. The fund of Zeus Phratrios was the fund of the phratry.

<sup>18</sup> According to SZANTO, everything preceding ταῦτα δ' εἶναι (except the sentence τὴν δὲ . . . βωμῷ, lines 26–29, which he regards as standing out of its proper connection) belongs to the provisions for the immediate future, and the ταῦτα δ' εἶναι marks the beginning of the permanent law. But, as Gilbert pointed out, if the pronoun referred to what follows, it would probably be τῷδε. More decisive is the presence, in the next clause, of δέ, which is irreconcilable with Szanto's view. The permanent law begins with τὴν δὲ διαδικασίαν in line 26. The aorists ἐλέσθαι, ἐξορκωσάτω, make no difficulty; cf. B., 29 and MEISTERHANS, op. cit.: Anm. 1638.

<sup>19</sup> SZANTO twice (pp. 507, 518) gives the sense of this as being dass der Phratriarch jedes Jahr die Abstimmung darüber einzuleiten habe, wer diadikasirt werden solle. As if ὧν ἂν δέη could be an indirect question!

<sup>20</sup> This crasis would not occur in a decree of the Ekklesia; MEISTERHANS, op. cit., § 24.

- ὅπο ἂν Δ|εκελειῆς προσφοιτῶσιν ἐν ἄστει.<sup>21</sup> τὸ δ|ἐ ψήφισμα τόδε  
καὶ τὰ ἱερεώσυνα ἀναγ|ράψαι τὸν ἱερέα ἐν στήλῃ λιθίνῃ πρ|όσθεν  
10 τῷ βωμῷ Δεκελειᾶσιν τέλεσι το|ῖς ἐαυτῷ. Νικόδημος εἶπε· τὰ  
μὲν ἄλλα κατ|ὰ τὰ πρότερα ψηφίσματα ἃ κέται περὶ τ|ῆς εἰσα-  
γωγῆς τῶν παίδων καὶ τῆς διαδ|ικασίας, τὸς δὲ μάρτυρας τρεῖς,  
15 ὃς εἴρη|ται ἐπὶ τῇ ἀνακρίσει, παρέχεσθαι ἐκ τ|ῶν ἐαυτῷ θιασωτῶν  
μαρτυρῶντας τὰ ὑπερωτώμε(να)<sup>22</sup>| καὶ ἐπομνύντας τὸν Δία τὸν  
Φράτριον· | μαρτυρεῖν δὲ τὸς μάρτυρας καὶ ἐπομνύναι ἐχομένους  
τῷ βωμῷ· ἐὰν δὲ μὴ ὧσι ἐν τ|ῷ(ι) θιάσῳ τότε τοσῶτοι τὸν  
20 ἀριθμὸν, ἐ|κ τῶν ἄλλων φρατέρων παρεχέσθω. ὅταν| δὲ ἡι ἢ  
διαδικασία, ὁ φρατρίαρχος μὴ π|[ρ]ότερον διδῶτω τῇ(ν) ψῆφον  
περὶ τῶν παί|δων τοῖς ἅπασιν φράτερσι πρὶν ἂν οἱ αὐ|τῷ τῷ εἰσα-  
25 γομένο θιασῶται κρύβδην ἀ|[π]ὸ τῷ βωμῷ φέροντες τὴν ψῆφον  
διαψηφ|ίσωνται· καὶ τὰς ψήφους τὰς τότεων ἐναν|τίον τῶν ἀπάντων  
φρατέρων τῶν παρόν|των ἐν τῇ ἀγορᾷ ὁ φρατρίαρχος διαρ|ιθμη-  
30 σάτω καὶ ἀναγορευέτω ὁπότερ ἂν| ψηφίσωνται· ἐὰν δὲ ψηφισα-  
μένων τῶν θ|ιασωτῶν ἐναι αὐτοῖς φράτερα οἱ ἄλλοι φράτερες  
ἀποψηφίσωνται, ὀφειλόντ|ων ἑκατὸν δραχμὰς ἱερὰς τῷ Διὶ τῷ  
35 Φ|ρατρίῳ οἱ θιασῶται, πλὴν ὅσοι ἂν τῶν |θιασωτῶν κατήγοροι  
ἢ ἐναντιόμεινοι | φαίνωνται ἐν τῇ διαδικασίᾳ· ἐὰν δὲ | ἀποψηφί-  
σωνται οἱ θιασῶται, ὁ δὲ εἰσά|γων ἐφῇ εἰς τὸς ἀ|[π]αντας, τοῖς δὲ  
40 ἅπασ|ι δόξει ἐναι φράτηρ, ἐνγραφέσθω εἰς τ|ὰ κοινὰ γραμματεῖα.<sup>23</sup>  
ἐὰν δὲ ἀποψηφίσω|ντ[α]ι οἱ ἅπαντες, ὀφειλέτω ἑκατὸν δρα|χμὰς  
ἱερὰς τῷ Διὶ τῷ Φρατρίῳ· ἐὰν δὲ | ἀποψηφισαμένων τῶν θια-  
45 σωτῶν μὴ ἐφῇ| εἰς τὸς ἅπαντας, κυρία ἔστω ἡ ἀποψηφ|ις εἰς ἡ  
τῶν θιασωτῶν· οἱ δὲ θιασῶται με|τὰ τῶν ἄλλων φρατέρων μὴ  
φερόντων τὴν | ψῆφον περὶ τῶν παίδων τῶν ἐκ τῷ θιάσῳ | τῷ

<sup>21</sup> Lolling refers to *LYSIAS*, XXIII. 3, which mentions "the barber's shop near the Hermae" as the place ἵνα οἱ Δεκελειῆς προσφοιτῶσιν. BLASS says that we have no indications as to the date of this oration (*Att. Beredsamkeit*, I, 632). But, surely, the presence of Plataeans in Athens implies a date prior to 387 or not much later; see PAUS., IX. I. 4. This was probably, then, the place in 396/5. But the wording of the clause ὅπο . . . προσφοιτῶσιν provides for possible changes.

<sup>22</sup> According to LOLLING, lines 11-15 are written *in rasura*, which may partly account for the awkward and ungrammatical expression. τοὺς μάρτυρας τρεῖς is anomalous for τοὺς τρεῖς μάρτυρας; cf. KEIL, *Zur Syll. inscr. Boeot.*, p. 620. παρέχεσθαι does double duty, being needed in both relative and antecedent clauses. I do not see the force of ὑπό in ὑπερωτώμενα, but it seems to have been thought important, since, by omitting it, the ἐρωτώμενα could have been written entire, whereas, as it is, the last two letters had to be omitted altogether.

<sup>23</sup> These were called, above, τὰ γραμματεῖον τὸ ἐν Δημοσιωνιδῶν καὶ τὸ ἀντίγραφον.

αὐτῶν. τὸ δὲ ψήφισμα τόδε προσαναγ|ραψάτω ὁ ἱερεὺς (ε)ἰς τὴν  
 50 στήλην τὴν λι|θίνην. "Ορκος μαρτύρων ἐπὶ τῇ εἰσαγωγ|γῇ τῶν  
 παίδων· μαρτυρῶ ὃν εἰσάγει ἐα|υτῷ ὕδν ἐναι τῶτον γνήσιον ἐγ  
 γαμετ|ῆς, ἀληθῆ ταῦτα νῆ τὸν Δία τὸν Φράτριον, εὐορκῶ(ν)τι μέν  
 55 μοι πολλὰ καὶ ἀγαθὰ ἔν|αι, εἰ δ' ἐπιорκοῖην, τάναντία.<sup>24</sup>

Μενέξενος εἶπεν· δεδόχθαι τοῖς φράτερσι περὶ | τῆς εἰσαγωγῆς  
 τῶμ παίδων, τὰ μὲν ἄλλα κα|τὰ τὰ πρότερα ψηφίσματα, ὅπως δ'  
 60 ἂν εἰδῶσι οἱ | φράτερες τοὺς μέλλοντας εἰσάγεσθαι, ἀπο|γράφεσθαι  
 τῶι πρῶτῳ<sup>25</sup> ἔτει ἢ ὧι ἂν τὸ κούρεον ἄγει τὸ ὄνομα πατρόθεν καὶ  
 τοῦ δήμου καὶ τῇ|ς μητρὸς πατρόθεν καὶ τοῦ δήμου πρὸς τὸν |  
 65 φρατρίαρχον· τὸν δὲ φρατρία[ρχον ἀπογραψ|]αμένων ἀναγρά-  
 ψαντα ἐκ[τιθέναι ὅπου ἂν Δεκ|]ελεῖς προσφοιτῶσι, ἐκτιθ[έναι δὲ  
 καὶ τὸν ἱερέα] | ἀναγράφαντα ἐν σανιδί[ωι λευκῶι ἐν τῶι ἱερ|]-  
 ῶι τῆς Λητοῦς.<sup>26</sup> τὸ δὲ ψ[ήφισμα τόδε προσαναγράφαι | εἰς τὴν]  
 στήλην [τὴν λιθίνην.]

## TRANSLATION.

Theodoros, son of Euphantides, priest of Zeus Phratrios, had this stele engraved and erected.

The sacrificial portions due to the priest are as follows: from the *meion*, a haunch, a rib, an ear, and three obols of money; from the *koureion*, a haunch, a rib, an ear, a quart-cake, a half-chous of wine, and a drachma of money.

The following decrees were passed by the phraters in the archonship of Phormion at Athens [396/5 B. C.] and the phratriarchate of Pantakles of Oion:

On the motion of Hierokles: For all who have not yet been subjected to a *diadikasia* according to the law of the Demotionidai, the phraters, having promised in the name of Zeus Phratrios so to do, shall hold a *diadikasia* immediately, taking their ballots from the altar. And, whoever be found to have been introduced illegally, the priest and the phratriarch shall erase his name from the register kept in

<sup>24</sup> The wording of this oath is extremely muddled; probably the work of Nikodemus, who seems to have been exceptionally illiterate and bungling.

<sup>25</sup> πρῶτῳ for προτέρῳ is extraordinary. It may help to prop up the three similar examples given by KÜHNER, *Griech. Gramm.*, II, 22 (ARIST., *Birds*, 824 should not have been cited), two at least of which have been corrected by critics. Cf. the cases of πρῶτος with genitive quoted in STEPHANOS, *Thesaurus*, s. v. πρῶτος.

<sup>26</sup> Probably in Dekeleia.

Demotionidai and from the copy thereof. And he who introduced the rejected member shall be fined 100 drachmas, to be devoted to Zeus Phratrios. This money the priest and the phratriarch shall collect, or be responsible for the amount.

In future the *diadikasia* shall be held in the year following that in which the *koureion* is sacrificed, on the Koureotis of the Apatouria, the ballots being taken from the altar. And, if any disfranchised member wishes to appeal to the Demotionidai, he shall have the right. In these cases the house of Dekeleians shall choose five men above thirty years of age as advocates, to whom the phratriarch and the priest shall administer an oath to be absolutely just in their advocacy and not to allow any one illegally to belong to the phratry. And every appellant rejected by the Demotionidai shall be fined 1000 drachmas, to be devoted to Zeus Phratrios. This money the priest of the house of Dekeleians shall collect, or be responsible for the amount. And it shall also be permissible for any other phrater who wishes to collect this for the common fund. These provisions shall be in force from the archonship of Phormion.

The phratriarch shall every year put to vote the cases of those for whom a *diadikasia* is required. Otherwise, he shall be fined 500 drachmas, to be devoted to Zeus Phratrios. This money the priest, or any one else who wishes, shall collect for the common fund.

In future the *meia* and the *koureia* shall be taken to the altar in Dekeleia. And, if they be not sacrificed on the altar, the offender shall be fined 50 drachmas, to be devoted to Zeus Phratrios. This money the priest shall collect, or be responsible for the amount. . . . And, if any of these causes prevent, the *meia* and the *koureia* shall be taken to whatever place the priest may advertise, the said advertisement to be made four days before the Dorpia on a whitewashed board not less than a span broad at the usual resort, for the time being, of the Dekeleians in the city.

This decree, together with the priest's portions, the priest shall have engraved at his own expense on a stone stele in Dekeleia before the altar.

On the motion of Nikodemos: The earlier decrees in force in regard to the introduction of children and the *diadikasia* are hereby amended as follows:

The three witnesses whom it has been required to produce for the examination shall be fellow-thiasotes of the applicant, testifying to the matters of inquiry and confirming their word by an oath in the name

of Zeus Phratrios. And the witnesses shall touch the altar during their testimony and oath. And, if there be not so many in the thiasos in question, they shall be furnished from the other phraters.

At the *diadikasia* the phratriarch shall not permit the whole body of phraters to vote in regard to the children, until the fellow-thiasotes of the candidate himself have voted secretly, taking their ballots from the altar. And the phratriarch shall count their ballots before the whole body of phraters present at the meeting and proclaim which way they have voted. And if, when the thiasotes have voted favorably, the rest of the phraters vote adversely, the thiasotes, except those who openly denounce or oppose [the child] at the *diadikasia*, shall be fined 100 drachmas [apiece], to be devoted to Zeus Phratrios. On the other hand, if the thiasotes vote adversely and the applicant [*i. e.*, father or guardian] appeal to the whole body and the whole body decide that the child belongs to the phratry, he shall be enrolled in the general registers; but, if the whole body vote adversely, he [*i. e.*, the father or guardian] shall be fined 100 drachmas, to be devoted to Zeus Phratrios. And, if, when the thiasotes have voted adversely, no appeal is taken to the whole body, the adverse vote of the thiasotes shall be decisive. And the members of any thiasos shall not vote with the rest of the phraters on the children of their own thiasos.

This additional decree the priest shall have engraved on the stone stele.

Oath of witnesses at the introduction of children: I testify that the child whom he introduces, [saying] that it is his lawful son by a wedded wife, this is true by Zeus Phratrios, [and I pray] that much good may befall me if I swear truly, and the contrary if I swear falsely.

On the motion of Menexenos: Resolved by the phraters to amend the former decrees in regard to the introduction of children, as follows: In order that the phraters may know those who are to be introduced, there shall be presented to the phratriarch, during the year before the *koureion* is brought, a written statement of the name [of each child], with the father's name and deme, as well as the mother's name, with her father's name and deme. And, when the statements have been made, the phratriarch shall inscribe them and post them up at the usual resort, for the time being, of the Dekeleians, and the priest also shall inscribe them on a white board and post it up in the temple of Leto.

This additional decree shall be engraved on the stone stele.

## COMMENT.

The foregoing document is difficult of comprehension especially for two reasons. In the first place, the subjects of *εἰσαγωγή* and *διαδικασία*, with which these psephisms deal, are not here taken up for the first time. As regards the *diadikasia*, to be sure, Szanto<sup>27</sup> and Busolt<sup>28</sup> are (or were) of another opinion. Regarding the Demotionidai as a gens, with which our phratry was intimately connected, either as contained in it (Szanto) or containing it (Busolt), they see in the "law of the Demotionidai" a recent enactment of the gens, and suppose that the *diadikasia* was in the archonship of Phormion first introduced into our phratry and presumably into others as well. Now, it may be, as Szanto and Busolt have assumed, that the first of our phratrerial psephisms is symptomatic of the same movement which found expression in the archonship of Eukleides in the revival of the law, that only those should be citizens both of whose parents were citizens, though the interval of time, eight years, is hardly favorable to such an assumption. But, at any rate, the psephism of Hierokles does not introduce a new practice. If the "law of the Demotionidai" had been a recent enactment, it would almost certainly have been called a *ψήφισμα*: and the language, "all who have not yet been subjected to a *diadikasia* according to the law," implies that some have already passed that ordeal. The law is not a novelty, but it has been laxly observed, and is now to be again enforced. Furthermore, as we now know, there have been one or more earlier psephisms of the phratry in regard to *εἰσαγωγή* or *διαδικασία* or both. The *πρότερα ψηφίσματα* to which Nikodemos refers (*B, 11*) may include the psephism of Hierokles, but imply at least one besides. The measures now enacted presuppose the immemorial *νόμος* and the previous legislation, of whose precise nature we are ignorant.<sup>29</sup>

In the second place, the style of our document is extremely clumsy and inexact. Attention has been called above to the illiterate syntax of certain passages. What is far more serious is the inconsecutiveness, the incompleteness and the ambiguity in statement of principles. It requires talent and training of a high order to frame a good law, and these the legislative methods of the Athenians did not tend to develop.

<sup>27</sup> *Op. cit.*, 507.

<sup>28</sup> *Griech. Alt.*, § 160.

<sup>29</sup> The words *οὐς εἰρηται ἐπὶ τῇ ἀνακρίσει παρέχεσθαι* seem to me to refer to a previous psephism. The novelty in Nikodemos' measure was not the requirement of witnesses, but the requirement that they should be of the thiasos of the candidate.

Least of all were such qualities likely to be found in the subordinate, rural corporations, as these psephisms bear witness. Hence it is useless to bring to bear upon them strict rules of interpretation.

In consequence of these difficulties, a complete and certain explanation of these decrees is impossible so long as our materials remain what they are. The way in which the newly discovered text has thrown some ingenious theories to the winds is a warning against over-confidence in dealing with riddles still unsolved. Nor, even if the constitution and procedure of this particular phratry lay clearly before us, would it be safe to assume that all the Attic phratries were cut out on the same pattern and pursued the same methods. There was of course a fundamental likeness between phratry and phratry. The conditions of membership must have been the same for all,<sup>30</sup> being none other than the conditions of Athenian citizenship. But beyond this the variation may have been wide. Our stele shows us one phratry modifying its rules and regulations. If the same phratry performed its duties in different ways at different times, how much more is such difference likely to have existed between different phratries. Yet, in spite of all these difficulties and limitations, the new text sheds enough additional light to justify a review of the whole subject.

One thing which is now put beyond a peradventure is, that the members of this phratry did not all belong to one deme. Szanto, who regards the phratries in general as subdivisions of the demes, saw no difficulty in supposing that all the members of this phratry were of the deme Oion, to which the phratriarch Pantakles belonged, in spite of the facts that the inscription was found at Dekeleia and the meetings for the admission of children were required to be held in that deme (*A*, 52 ff.). This view, always improbable enough, is now shown to be certainly false. It is scarcely conceivable that the rendezvous of the Dekeleians in Athens should have been selected as the place to post notices intended to reach all members of the phratry (*B*, 5-6, 64-65), unless there had been Dekeleians in the phratry. A still more cogent proof is supplied by the provision of *B*, 61. If the members had all belonged to one deme, it would have been idle to require the mention of the father's *demotikon*. But, besides Dekeleia and Oion, we cannot name any deme represented in this phratry, nor can we say whether there were any others. If there were, they were probably, like Oion (*i. e.* no doubt

<sup>30</sup> Except that some phratries were by law not open to *δημοποιοι*; see BUERMANN, *Jahrbücher für Philologie*, Supp., IX, 643.

Οἶον Δεκελεικόν) in the immediate vicinity of Dekeleia. At least, the presumption, derived from other sources, that the phratries were unions of neighbors, receives some confirmation from our inscription. It looks as if this phratry were localized in and near Dekeleia, not, indeed, in the sense that all the members actually lived in that neighborhood, but that they belonged to that group of demes. But, whether *all* the members of these demes or of any one of them belonged to the phratry, we cannot tell. If the Dyaleis of CIA, II, 600 are rightly regarded as a union of two phratries, then, as the two phratriarchs there mentioned were both Myrrhiniusians, it follows that members of the same deme might belong to different phratries. The same inference has been drawn by Buermann from the formula of the decrees conferring citizenship, εἶναι φυλῆς καὶ δήμου καὶ φρατρίας ἧς ἂν βούληται, which suggests that, as after the choice of a tribe there was still open the choice of a deme, so after the choice of a deme there was still open the choice of a phratry. It may be then that the demesmen of Dekeleia and Oion were not all enrolled in our phratry. And thus we are as far as ever from being able to estimate even approximately the size of an Attic phratry, or, what comes to the same thing, the number of phratries in the State. Between the twelve commonly accepted until lately and the three hundred and sixty once proposed by Buermann, there is still room for indefinite guessing.

Nor does the new text supply any decisive answer to the important question raised by Szanto, Are the Demotionidai a gens or a phratry?<sup>31</sup> and answered by him in favor of the former. It should be premised that the Demotionidai, if a gens, are to be regarded, not with Szanto as a wider organization including the phratry, but rather with Busolt as the nucleus around which non-gentiles were grouped to form the phratry. Now the first two occurrences of the name do not favor the view that the Demotionidai are a gens. The "law of the Demotionidai" is the law of the phratry (A, 14); ergo, one naturally infers, the Demotionidai are the phratry. Busolt,<sup>32</sup> to be sure, asserts, *Die Satzungen des Geschlechts galten auch für die Phratrie*, but the passage in Isaïos to which he refers affords no confirmation of the assertion,

<sup>31</sup> There is a third alternative possible, viz., that both gens and phratry were called Demotionidai. In that case, we could understand the phratry in the first two instances and the gens in the third. I should prefer this to Szanto's view, but do not think it necessary.

<sup>32</sup> *Griech. Alt.*, § 159, with references to this inscription and ISAIOS, VII. 15.

and the general impression produced by the psephisms before us is that the phraters were a law unto themselves. Again, as the phratry as a whole has control of the register (*B*, 39-40; *A*, 19-20), it is hard to see why a gens, and not the phratry, should be named as the body with whom the register is kept (*A*, 21). But the "appeal to the Demotionidai" (*A*, 30) makes a difficulty. How, asks Szanto, not without force, can there be an appeal from a body to the same body again? On the other hand, we may ask, Why should the phraters, who in general manage their affairs collectively, abdicate in favor of a section of their number in the most important of their proceedings? The question is more forcible now than before, because, in the detailed regulation of the *diadikasia* by the psephism of Nikodemos, we find no disposition to accept as final the decision of any subordinate body. On the whole, therefore, I am disposed to see in the Demotionidai the phraters, and the phraters only. If this be right, the word "appeal" is indeed not strictly appropriate, but perhaps the interpretation suggested below for the passage in question may make the employment of the word more intelligible.

If our inscription teaches nothing about the relation of gens to phratry, it redeems this silence by the proof it brings that every member of the phratry belonged also to some one or other of a number of religious associations or *thiasoi*. We can with some confidence go a step further. If any dependence is to be placed on the literal meaning of *B*, 23-48, all the members of any thiasos were expected to take part at the *diadikasia* of the child of one of their own number, and were all liable to be fined; in other words, the *thiasoi* were subdivisions of the phratry. Further, according to the present wording of our text, these *thiasoi* were, at least in some instances, very small bodies; the possible case is considered of the membership being less than four (*B*, 18-19). But it may be that in the first version of lines 11-15 a larger number of witnesses than these was prescribed. As to the nature of these *thiasoi*, we learn nothing beyond what the name itself implies, nor do other sources of information have much, if anything, to say of such associations, at least under that name.<sup>33</sup> But, inasmuch as *θιασῶται* and *ὀργᾶνες* are practically synonymous, it seems permissible to bring these *thiasoi* into connection with a much debated statement of Philochoros. His words, as quoted by Photios and Soudas, *s. v.*

<sup>33</sup> The "*thiasoi* of Herakles," mentioned in *ISAIOS*, IX. 30 may be analogous.

Ὀργεῶνες, are as follows : τοὺς δὲ φράτορας ἐπάναγκες δέχεσθαι καὶ τοὺς ὀργεῶνας καὶ τοὺς ὁμογάλακτας, οὓς γεννήτας καλοῦμεν. Opinions have differed as to whether οὓς here refers to both ὀργεῶνας and ὁμογάλακτας, or only to ὁμογάλακτας. But, even without the context, the latter alternative seems to me almost certain,<sup>34</sup> and those who had the context so understood it.<sup>35</sup> See Harpokration *s. v.* Γεννῆται, and *Bull. de Corr. Hellén.*, I, 152, from which we learn further that the sentence in question was taken from the fourth book of Philochoros' *Atthis*. This book covered the latter half of the fifth century B. C., so that the statement quoted probably referred to the phratries of the post-Kleisthenean period. We thus learn that a phratry consisted of two classes of members, *γεννῆται* or members of a gens (or gentes) based upon real or fictitious kinship and ὀργεῶνες or members of a religious union or unions, perhaps not laying claim to kinship. Conformably to the statement of Philochoros, we find admission to a phratry coupled with admission to a gens in Isaios, VII. 16 and Dem. LIX. 77, and with admission to a body of ὀργεῶνες in Isaios, II. 14. But now, although ὀργεῶνες might be contrasted with *γεννῆται*, and were so contrasted by Philochoros, yet the name in its broad sense is applicable to any religious association. A gens was a religious association; hence a body of gentiles could be called ὀργεῶνες. Such at least is the clear statement of the *Etymologicum Magnum*, *s. v.* Γεννῆται,<sup>36</sup> and I see no ground for doubting it. The combined testimony of these passages may be summed up by saying that a phratry consisted of two or more religious associations, one at least of which was or might be a gens. Probably then, by the *thiasoi* of our inscription, we are to understand any gens (or gentes) included in the phratry and a number of non-gentile associations. Possibly the οἶκος Δεκελειῶν may have been a gentile or quasi-gentile thiasos.<sup>37</sup>

So much for the constitution of the Demotionidai. What, now, were the special circumstances which evoked the psephisms of 396/5? As I conceive the situation, there had been in our phratry three closely connected abuses, to the reform of which the psephism of Hierokles

<sup>34</sup> Cf. BUSOLT, *Griech. Gesch.*, I, 395<sup>(1)</sup>.

<sup>35</sup> Except perhaps POLLUX, in III. 52; so BUSOLT, *loc. cit.*

<sup>36</sup> The confused words of the same lexicon, *s. v.* Ὀργεῶνες: Σύνταγμά τι ἀνδρῶν, ὡς τῶν γεννητῶν καὶ φρατῶρων, seem to point the same way.

<sup>37</sup> That the οἶκος Δεκελειῶν was a religious association is evident from its having a priest (*A*, 41-42). Whether this priest was identical, as some suppose, with the priest of the phratry, is not clear.

was directed. (1) Meetings for the reception of children had been held elsewhere than at Dekeleia. This is a certain inference from *A*, 52 ff., and that the practice was considered an abuse is almost equally certain. I think we can plausibly conjecture how the abuse arose. During the years 413–404, Dekeleia had been continuously occupied by a Spartan garrison, and the residents of the neighborhood had been shut up in Athens. During these years, whatever meetings the Demotionidai held must have been held in the city. Moreover, when the war was over, it is likely that many, habituated to city life, did not return to their country homes, but remained in the capital. What more likely than that the Demotionidai, having got into the way of it, should have found it convenient to continue meeting and transacting business in Athens? (2) But the irregularity went further than is implied in the mere substitution of one meeting-place for another. These meetings had been held without the presence and sanction of the priest of Zeus Phratrios. This is clear from the priest being appointed to collect the fine from future offenders—an unintelligible provision if he were an aider and abettor in the offense. Naturally, if the priest was not present, he did not receive the sacrificial portions to which he was entitled. The instructions of *B*, 7, and the consequent announcement of the *ἱερεώσυννα* at the head of the stele, bear witness to an attempt to restore neglected rights. Henceforth the priest is made the judge as to whether circumstances necessitate a meeting elsewhere than at Dekeleia, and it falls to him, if need be, to choose and advertise another place. In fact, all that part of the first decree which relates to *εἰσαγωγή* was passed in the interest of the priest—a fact which may explain the requirement that he shall bear the expense of the stele. (3) The names of new members had been entered in the register without the *diadikasia*. This was simply part and parcel of that confusion into which the affairs of the phratry had fallen. The psephism of Hierokles aimed at correcting these laxities and restoring the traditional order. That of Nikodemos, on the other hand, bringing the *thiasoi* into prominence and making them jointly responsible for their members, seems to introduce innovations. What the occasion of this move was I am unable to say.

Let us now attempt to realize, step by step, the process established by the decrees of 396/5 for seeking admission to the phratry of Demotionidai. There is probably no fixed rule as to the age at which a child

shall be presented, but the ceremony under ordinary circumstances takes place within the first three or four years of the child's life.

The regular occasion, according to the evidence of several scholiasts and lexicographers, is the Koureotis, the third and last day of the Apatouria-festival. This statement has been disputed by August Mommsen,<sup>38</sup> who assumes that the presentation began on the Dorpia, the first day of the festival, on no better ground than that it would have been a bad arrangement to postpone the serious business till the last. But the evidence of the grammarians receives some confirmation from our inscription, which fixes the *diadikasia* upon the Koureotis. And it may well be doubted whether an attendance of the scattered phraters sufficient to transact business could have been secured for more than a single day. Unless insuperable obstacles, such as war, intervene, the meeting is held at Dekeleia. Thither are brought the children,<sup>39</sup> male and female, and with them the victims and other offerings which law or custom prescribed. Schoemann conceived such meetings as being held in the *φράτριον*, which according to Pollux (III. 52) was τὸ ἱερὸν εἰς ὃ συνήεσαν (sc. οἱ φράτορες). It is noteworthy that Stephanos of Byzantion (s. v. *φατρία*) and Eustathios (*ad. Il.*, 239. 30 and 735. 50) know the *φράτριον* only as a τόπος or τόπος ὠρισμένος. At all events, the Demotionidai meet in the open air for the *εἰσαγωγή* as well as for the *διαδικασία*: for they are in presence of the altar,<sup>40</sup> and that this was not in a covered building we may infer, not only from its use for burnt sacrifices, but also from the phraseology of *B*, 9; one would not say "in Dekeleia before the altar," if this altar were in a building. The meeting is presided over by the phratriarch. Each applicant presents his child, and is subjected to an examination, searching or perfunctory according to circumstances. Then, while the sacrificial portions assigned to Zeus Phratrios burn upon the altar, he takes oath that the child he presents is *γνήσιος ἐγ γαμετῆς*. Following the oath of the father or guardian, comes the examination of the three witnesses whom he produces from among the members of his thiasos. They testify with one hand upon the altar and confirm their testimony with an oath. We should expect, then, to find the phraters proceeding at once to vote on the application, and, in case of acceptance, to enter the

<sup>38</sup> *Heortologie*, 308-310.

<sup>39</sup> That the candidates were presented in person appears from ISAIOS, VII. 16; DEM., LVII. 54: cf. ANDOK., I. 126, for admission into a gens.

<sup>40</sup> See, especially, *B*, 17-18.

name of the child in the register. Such was the practice in other phratryes, so far as known to us:<sup>41</sup> but the practice of the Demotionidai, as regulated by the psephism of Hierokles, seems to have been different. For a year later the child is still *ὁ εἰσαγόμενος* (*B*, 24) and the father or guardian *ὁ εἰσάγων* (*B*, 37–38), and not till after a favorable issue of the *διαδικασία* does registration take place (*B*, 39). I would suggest, therefore, that the *diadikasia* of the Demotionidai, instead of being a procedure otherwise unknown to us, was nothing more or less than the trial and vote which every well-conducted phratry held on the admission of each new child, the peculiarity lying solely in the interval of a year required between the first presentation and the vote. The object of this arrangement would be to secure due advertisement of the names and alleged antecedents of the candidates, and thus to prevent fraud. At the meeting on the Koureotis of the next year following, the phratriarch is required to bring up each case in turn. There is opportunity, for whoever will, to make objections (*B*, 34–36). Then follows the vote, which may result in any one of five ways. (A) If the child's fellow-thiasotes vote favorably, the case must then go before the remaining phraters. (1) If they vote favorably, the child's name is enrolled in the two registers (this case, as being self-evident, is not mentioned by Nikodemos). (2) If the phraters vote unfavorably, the child is rejected and each thiasote (or the thiasos collectively?) including presumably the father or guardian (unless the latter should not belong to the thiasos), but excluding any who may have opposed the candidate in the previous discussion, is fined 100 drachmas. (B) If the child's fellow-thiasotes vote unfavorably, then an appeal may or may not be taken to the remaining phraters. (3) If no appeal is taken, the child is rejected, but there is, apparently, no fine. If an appeal is taken and (4) the action of the thiasos is sustained, the child is rejected and the *εἰσάγων* is fined 100 drachmas; but (5), if the decision of the thiasos is reversed, the child is accepted and his name enrolled. For cases (2) and (4) there remains the possible appeal to the Demotionidai. The subject is beset with difficulties, and I do not pretend to clear them away. But it is noteworthy that, whereas, in case a child is rejected at the or-

<sup>41</sup> ISAIOS, VII. 16–17; DEM., XLIII. 13–14; DEM., LIX. 59: cf. ANDOK., I. 127. The phratry of DEM., XLIII, might be the Demotionidai, since Eubulides was of the deme Oion. But this may have been *Οἶον Κεραμεικόν*; or, if it was *Οἶον Δεκελεικόν*, the phratry, as shown above, may have been different. The apparent difference of practice points to a different phratry.

dinary *diadikasia* by his fellow-thiasotes, it is the *εισάγων* who is said to appeal (*B*, 38), and, whereas at the extraordinary *diadikasia* of 396/5 it is the *εἰσαγωγόν* of a rejected member who is fined (*A*, 22-23), here the rejected person is himself authorized to appeal, and, in the event of failure, the fine is said to fall upon him (*A*, 30-31, 38-39). Is this a mere carelessness of language, as Gilbert thought? Possibly so. But may we not take the language literally? In that case, this paragraph provides that one who had been rejected in infancy may, as an adult, seek admission again in his own person. He refers his suit anew to the phratry; the years that have elapsed since he was on trial before disguise a little the inappropriateness of the word *ἐφίημι*. Such a renewed application, made when proof would be harder than ever to obtain, would be a serious matter and would call for great caution. The *οἶκος Δεκελειῶν*, which holds a position of dignity in the phratry, appoints five *synegoroi*, whose duty it is to oppose the claims of the applicant. The case is brought to trial before a meeting of the phraters. If the applicant succeeds in securing a majority vote, he is of course at once admitted; if he fails, he is visited with a heavy fine, 1000 drachmas, and remains what he was, a metic.

At a much later day, in the Macedonian period, it was thought desirable to make still ampler provision than had existed for the advertisement of the names of candidates. It was now required that, at some time during the year preceding the Apatouria at which application was to be made, the name of each child should be reported to the phratriarch. When the time allowed had elapsed,<sup>42</sup> the list was posted at the rendezvous of the Dekeleians in Athens and in the temple of Leto in Dekeleia, each name being announced in the form, *Μένων Μενεξένου ἐξ Οἴου καὶ Νικαρέτης Καλλίππου Πλωθέως*. Perhaps, at this time, the meetings of the phratry were so thinly attended that the mere presentation of a child did not constitute a sufficient advertisement. At any rate, the psephism of Menexenos gives us a fresh glimpse of laxity in the conduct of the affairs of the phratry, and of an effort, probably ineffectual, to secure reform.

POSTSCRIPT.—The *Berliner philologische Wochenschrift* for Feb. 16 and 23, 1889, containing a short discussion by Buermann of the

<sup>42</sup> Of course, if the announcement was to be of any use, it must be made some time before the *εἰσαγωγή*, but, with characteristic carelessness, that point is not made clear in the psephism. The language used would allow the presentation of names to the phratriarch up to the date of the Koureotis: or should we understand *τῷ πρώτῳ ἔτει* as meaning, in the preceding *civil* year, *i. e.*, before midsummer?

new part of this inscription, reached me as I was finishing the foregoing article. Buermann's interpretation differs from mine on some important points. The most serious divergence concerns the *εἰσαγωγή*, which, by implication, he puts in the year following the offering of the *koureion*, and consequently immediately before the *diadikasia*. Conformably to this, he takes τῷ πρώτῳ ἔτει ἦ, in *B*, 60, as equivalent to τῷ ὑστέρῳ ἔτει ἦ. The phrase is a strange one, but I do not believe it can be so understood. Apart from this, I think my views preferable. That *εἰσαγωγή* and *διαδικασία* are two distinct acts appears from *A*, 13-19, *B*, 12-13, 20-21, in spite of *εἰσαγομένο* and *εἰσάγων* (*B*, 24, 37-38). As far as that goes, they might both come on the same day. But the dissociation of the *εἰσαγωγή* from the offering of the victim on behalf of the child creates great difficulties. I will not press the argument, that Hierokles ought to have written τὴν δὲ εἰσαγωγὴν καὶ τὴν διαδικασίαν τὸ λοιπὸν εἶναι τῷ ὑστέρῳ ἔτει κ. τ. λ., if such was his intention. But what meaning could the sacrifice have, if the child was not presented at the same time?

Buermann infers from the terms of the oath (*B*, 52) that only sons, and not daughters, were enrolled. He might have quoted, further, *A*, 28 and *B*, 60. But, for the admission of daughters, we have the evidence, not only of the Scholiast on Aristophanes, *Acharnians* 146, but also of Isaios, III. 73-76. I therefore think it more likely that the omission of reference to daughters in the oath and the psephisms is due to carelessness.

Through the courtesy of Professor Pantazides, I have seen also, at the last moment, the advance sheets of his discussion of the inscription, shortly to appear in the *Ἑφημερίς Ἀρχαιολογική*, and have been able to appropriate from him two or three valuable suggestions in regard to minor points.

F. B. TARBELL.

*American School, Athens,*

March 12, 1889.